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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5178

04/02/2024 Authored by Davids
The bill was read for the first time and referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to taxation; individual income; expanding the eligible expenses for the
1.3 Minnesota education credit; amending Minnesota Statutes 2023 Supplement,
1.4 section 290.0674, subdivision 1a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2023 Supplement, section 290.0674, subdivision 1a, is
1.7 amended to read:

1.8 Subd. 1a. Definitions. (a) For purposes of this section, the following terms have the
1.9 meanings given them.

1.10 (b) "Career and technical education program" means a program that provides individuals
1.11 with coherent rigorous content aligned with academic standards and relevant technical
1.12 knowledge and skills needed to prepare for further education and careers in current and
1.13 emerging professions and provides technical skill proficiency, an industry recognized
1.14 credential, and a certificate, a diploma, or an associate degree.

1.15 (b) (c) "Education-related expenses" means:

1.16 (1) qualifying instructional fees or tuition;

1.17 (2) expenses for textbooks, including books and other instructional materials and
1.18 equipment purchased or leased for use in elementary and secondary schools in teaching
1.19 only those subjects legally and commonly taught in public elementary and secondary schools
1.20 in this state. "Textbooks" does not include instructional books and materials used in the
1.21 teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such
1.22 tenets, doctrines, or worship, nor does it include books or materials for extracurricular

2.1 activities including sporting events, musical or dramatic events, speech activities, driver's
2.2 education, or similar programs;

2.3 (3) a maximum expense of \$200 per family for personal computer hardware, excluding
2.4 single purpose processors, and educational software that assists a dependent to improve
2.5 knowledge of core curriculum areas or to expand knowledge and skills under the required
2.6 academic standards under section 120B.021, subdivision 1, and the elective standard under
2.7 section 120B.022, subdivision 1, clause (2), purchased for use in the taxpayer's home and
2.8 not used in a trade or business regardless of whether the computer is required by the
2.9 dependent's school; ~~and~~

2.10 (4) the amount paid to others for transportation of a qualifying child attending an
2.11 elementary or secondary school situated in Minnesota, North Dakota, South Dakota, Iowa,
2.12 or Wisconsin, wherein a resident of this state may legally fulfill the state's compulsory
2.13 attendance laws, which is not operated for profit, and which adheres to the provisions of
2.14 the Civil Rights Act of 1964 and chapter 363A. For a qualifying child participating in a
2.15 career and technical education program, "education-related expenses" includes the amount
2.16 paid to others for transportation outside regular school hours that is directly related to the
2.17 qualifying child's participation in the program. Amounts under this clause exclude any
2.18 expense the taxpayer incurred in using the taxpayer's or the qualifying child's vehicle; and

2.19 (5) for a qualifying child participating in a career and technical education program,
2.20 expenses for:

2.21 (i) participation in a student organization that is a component of the program curriculum;
2.22 and

2.23 (ii) equipment not eligible under paragraph (c), clause (2), that is required for participation
2.24 in the program.

2.25 ~~(e)~~ (d) "Qualified instructor" means an individual who is not a lineal ancestor or sibling
2.26 of the dependent and who is:

2.27 (1) an instructor under section 120A.22, subdivision 10, clause (1), (2), (3), (4), or (5);
2.28 or

2.29 (2) a member of the Minnesota Music Teachers Association.

2.30 ~~(d)~~ (e) "Qualifying child" has the meaning given in section 32(c)(3) of the Internal
2.31 Revenue Code.

2.32 ~~(e)~~ (f) "Qualifying instructional fees or tuition" means fees or tuition for instruction by
2.33 a qualified instructor outside the regular school day or school year, and that does not include

3.1 the teaching of religious tenets, doctrines, or worship, the purpose of which is to instill such
3.2 tenets, doctrines, or worship, including:

3.3 (1) driver's education offered as part of school curriculum, regardless of whether it is
3.4 taken from a public or private entity; or

3.5 (2) tutoring or summer camps that:

3.6 (i) are in grade or age appropriate curricula that supplement curricula and instruction
3.7 available during the regular school year;

3.8 (ii) assist a dependent to improve knowledge of core curriculum areas; or

3.9 (iii) expand knowledge and skills under:

3.10 (A) the required academic standards under section 120B.021, subdivision 1; and

3.11 (B) the world languages standards under section 120B.022, subdivision 1.

3.12 **EFFECTIVE DATE.** This section is effective for taxable years beginning after December
3.13 31, 2023.